

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

MARK HARSH,)	
)	
Plaintiff,)	
)	Civil Action No. 10-223 Erie
v.)	
)	
MICHAEL BARONE, et al.,)	
)	
Defendants.)	

MEMORANDUM ORDER

This action was received by the Clerk of Court on September 7, 2010 and was referred to United States Magistrate Judge Susan Paradise Baxter for report and recommendation in accordance with the Magistrates Act, 28 U.S.C. § 636(b)(1), and Rules 72.1.3 and 72.1.4 of the Local Rules for Magistrates.

The Magistrate Judge's Report and Recommendation [ECF No. 79], filed on February 12, 2013, recommended that the motion for summary judgment filed by Defendants Maxa and Sherbine [ECF No. 58] be granted, and that the motion for summary judgment filed by Defendants Bunting, Riskus, and Setnik [ECF No. 67] be granted. The parties were allowed fourteen (14) days from the date of service to file objections, and Plaintiff was granted an extension until March 21, 2013 to file objections, with the proviso that "NO FURTHER EXTENSIONS WILL BE GRANTED." See [Text Order entered March 4, 2013]. No objections were filed. After de novo review of the documents in the case, together with the Report and Recommendation, the following order is entered:

AND NOW, this 22nd day of March, 2013;

IT IS HEREBY ORDERED that the motion for summary judgment filed by Defendants Maxa and Sherbine [ECF No. 58] is GRANTED. IT IS FURTHER

ORDERED that the motion for summary judgment filed by Defendants Bunting, Riskus, and Setnik [ECF No. 67] is GRANTED.

The Report and Recommendation [ECF No. 79] of Magistrate Judge Baxter, filed on February 12, 2013, is adopted as the opinion of the Court.¹

s/ Sean J. McLaughlin
United States District Judge

cm: All parties of record
Susan Paradise Baxter, U.S. Magistrate Judge

¹ In light of correspondence received by the undersigned on March 22, 2013 from attorney Joshua M. Autry explaining his firms' failure to have timely returned Plaintiff's legal material to him, *see* [ECF No. 83], the Court will review any objections the Plaintiff files, *nunc pro tunc*, if filed on or before April 14, 2013.